

**DARIEN PUBLIC SCHOOLS  
DISTRICT #61**

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Federal Communications Commission      Appeal – CC Docket No. 02-6

Please accept this letter as a request for waiver of the invoice deadline filed on behalf of the Darien School District 61 Billed Entity Number (“BEN”) 135743 with regard to its Funding Request Number (“FRN”) 2634078 for Funding Year (“FY”) 2014-15 filed with the Universal Service Administration Company/School and Libraries Division (“USAC/SLD”) for the Schools and Libraries Program often called “E-rate”. The FRN relates to Wide Area Network (“WAN”) services that Darien School District 61 purchases from Unite Private Networks, LLC (“UPN”), with a total yearly cost of \$27,429. Darien School District 61 hosted a competitive bidding process and complied with all USAC/SLD guidelines to receive funding for this FRN.

Darien School District 61 submitted its Billed Entity Applicant Reimbursement (“BEAR”) Form using the USAC/SLD’s electronic filing system (the “System”) on October 13, 2015, requesting reimbursement for 60% of the yearly costs - or \$16,457.40. The deadline to submit invoices to USAC/SLD was October 16, 2015. The BEAR Form was forwarded through the System to UPN that same day. UPN reviewed the BEAR Form and compared it with its internal invoicing records. The BEAR Form contained correct information and UPN certified it by clicking on the “Certify All” button in the System on October 13, 2015. Neither the District nor UPN received any further information relating to this BEAR Form.

In February of 2016, Darien School District 61 began an internal audit and noted that the BEAR Form payment had not been received. Darien School District 61 contacted UPN to find out where the BEAR payment was. UPN confirmed that the BEAR payment had not been sent by USAC/SLD to UPN. UPN researched the issue and found that USAC/SLD had changed the status of the FRN to “Canceled”, see the attached documentation reflecting the status of the invoice for this FRN.

Darien School District 61 reached out to USAC/SLD to find out if they would be able to correct this issue. Darien School District 61 was told that UPN did not certify all of the line items in the FRN and it was therefore canceled – which is contrary to what UPN actually did by selecting “Certify all”. Darien School District 61 then asked UPN to contact the USAC/SLD to see if anything could be done as the deadline to file the invoice with USAC/SLD had passed. At that time, UPN noted that 2 or 3 other customers had similar issues for the 2015-2016 funding year. But, in each of those other instances, UPN received an e-mail and the customer received a letter indicating that the BEAR Form would need to be resubmitted. Neither UPN nor Darien School District 61 received such notifications in this instance.

In March of 2016, UPN submitted a question outlining the information above through the USAC/SLD’s new online system E-rate Productivity Center (“EPC”). UPN did not receive a response to this question. During the monthly service provider call held by USAC/SLD, Ronda Plummer with UPN asked for direction on how to resolve this issue – as it appears that there was some sort of computer glitch that caused this invoice to be canceled in error. Mr. Kraft with USAC/SLD asked that all of the information be forwarded to him via e-mail and he would investigate to determine if anything could be done on USAC/SLD’s end to correct this issue.

In April of 2016, Mr. Kraft responded to Ms. Plummer that he was not able to correct the issue on USAC/SLD's end as USAC doesn't have authority to make changes to BEAR Submissions. Mr. Kraft indicated that the matter would need to be presented to the Federal Communications Commission ("FCC") as a request for waiver for the invoice deadline to allow Darien School District 61 to re-file its BEAR Form and for UPN to re-certify it. USAC/SLD could not grant an extension as the deadline to file the invoice had already passed before the matter was presented to him.

Darien School District 61 is a small school district with three locations and limited resources for pursuing this matter. Darien School District 61 does not utilize an E-rate consultant. As such, Darien School District 61 and UPN have worked together to develop this request for waiver. Darien School District 61 and UPN believe that an error in processing this BEAR Form occurred that was beyond the District's control. As such, Darien School District 61 requests the FCC to issue a waiver of the deadline to file the invoice for the FRN in question, which would allow Darien School District 61 to re-file the BEAR form, UPN to re-certify the BEAR Form, and Darien School District 61 to receive funding. As noted above, Darien School District 61 has met all other criteria and followed all other USAC/SLD rules to receive this funding.

Thank you for your consideration. Please advise how the District can best move forward to refile the BEAR form and receive full funding

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